

400 Garden City Plaza  
 Garden City, New York 11530  
 (516) 742-4343 - Telephone  
 (516) 742-4368 - Facsimile  
 e-mail: intprop@ssmp.com

**SCULLY, SCOTT, MURPHY  
 & PRESSER**

RECEIVED  
 CENTRAL FAX CENTER

**Fax**

**FEB 15 2005**

**To:** Examiner: Kelvin Y. Lin  
**Group Art Unit:** 2142  
**Confirmation No.:** 8740

**From:** John S. Sensny, Esq.

**Fax:** 703-872-9306 **Pages:** 11 (Including fax cover sheet)

**Phones:** **Date:** February 15, 2005

**Re:** **Applicants:** John J. Gregson  
**Serial No.:** 09/934,638 **CC**  
**Filed:** August 22, 2001  
**For:** "METHOD TO MEASURE  
 DISTRIBUTED SYSTEMS RELATIVE SIZE"  
**Docket:** BLD920010006US1 (14385)  
 JSS:jy

## **AMENDMENT UNDER 37 C.F.R. §1.111**

**TRANSMITTED HEREWITH:**

1. Amendment Transmittal Letter (in duplicate);
2. Amendment under 37 C.F.R. §1.111; and
3. Certificate of Facsimile Transmission, dated February 15, 2005 (in duplicate).

**FOR:**

**Applicant:** John J. Gregson  
**Serial No.:** 09/934,638  
**Filed:** August 22, 2001  
**For:** "METHOD TO MEASURE DISTRIBUTED SYSTEMS RELATIVE SIZE"  
**Docket:** BLD920010006US1 (14385)  
 JSS:jy

**CONFIDENTIALITY:** The documents accompanying this facsimile transmission may contain information which is either confidential or legally privileged and is intended only for the authorized use of the individual or entity named above without right or publication or republication, dissemination or disclosure except as expressly set forth or established by course of dealing. All rights are reserved. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or use of the contents of this facsimile is prohibited. If you received this transmission in error, please notify us immediately by telephone to arrange for return of the documents.

If you have any problems concerning this facsimile, please call (516) 742-4343 and ask for Julie @ Ext. 569.

<b>CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)</b> <b>Applicant(s): John J. Gregson</b>			<b>Docket No.</b> <b>BLD920010006US1 (14385)</b>
<b>Application No.</b> <b>09/934,638</b>	<b>Filing Date</b> <b>August 22, 2001</b>	<b>Examiner</b> <b>Kelvin Y. Lin</b>	<b>Group Art Unit</b> <b>2142</b>
<b>Invention: METHOD TO MEASURE DISTRIBUTED SYSTEMS RELATIVE SIZE</b>			
<b>RECEIVED</b> <b>CENTRAL FAX CENTER</b> <b>FEB 15 2005</b>			
<p>I hereby certify that this <u>AMENDMENT UNDER 37 C.F.R. §1.111</u>  <small>(Identify type of correspondence)</small>  is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>(703) 872-9306</u> )  on <u>February 15, 2005</u>  <small>(Date)</small></p> <p style="text-align: right;"><u>John S. Sensny</u>  <small>(Typed or Printed Name of Person Signing Certificate)</small></p> <p style="text-align: right;"><u>John S. Sensny</u>  <small>(Signature)</small></p> <p style="text-align: center;">Note: Each paper must have its own certificate of mailing.</p>			

AMENDMENT TRANSMITTAL LETTER (Large Entity)				Docket No. BLD920010006US1 (14385)	
Applicant(s): John J. Gregson					
Application No. 09/934,638	Filing Date August 22, 2001	Examiner Kelvin Y. Lin	Customer No. 23389	Group Art Unit 2142	Confirmation No. 8740
Invention: METHOD TO MEASURE DISTRIBUTED SYSTEMS RELATIVE SIZE					
<u>COMMISSIONER FOR PATENTS:</u>					
Transmitted herewith is an amendment in the above-identified application.					
The fee has been calculated and is transmitted as shown below.					
<u>CLAIMS AS AMENDED</u>					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	15 -	20 =	0	x \$50.00	\$0.00
INDEP. CLAIMS	3 -	3 =	0	x \$200.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00

No additional fee is required for amendment.

Please charge Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_.

A check in the amount of \_\_\_\_\_ to cover the filing fee is enclosed.

The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account 09-0457/IBM

Any additional filing fees required under 37 C.F.R. 1.16.

Any patent application processing fees under 37 CFR 1.17.

Payment by credit card. Form PTO-2038.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

Dated: February 15, 2005

John S. Sensny  
Registration No. 28,757

**Scully, Scott, Murphy & Presser  
400 Garden City Plaza - Suite 300  
Garden City, New York 11530  
(516) 742-4343**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on \_\_\_\_\_

(Date)

*Signature of Person Mailing Correspondence*

*Typed or Printed Name of Person Mailing Correspondence*

cc: JSS:jy

**RECEIVED****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE** **CENTRAL FAX CENTER****Applicant:** John J. Gregson**Examiner:** Kelvin Y. Lin**FEB 15 2005****Serial No.:** 09/934,638**Group Art:** 2142**Filed:** August 22, 2001**Docket:** BLD920010006US1(14385)**For:** METHOD AND SYSTEM TO MEASURE  
DISTRIBUTED SYSTEM'S RELATIVE SIZE**Dated:** February 15, 2005**Confirmation No.:** 8740Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**AMENDMENT UNDER 37 C.F.R. §1.111****Sir:**

In response to the Office Action dated November 15, 2005, please amend the subject patent application as follows:

---

**CERTIFICATION OF FACSIMILE TRANSMISSION**

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

**Dated:** February 15, 2005John S. Sensny  
John S. Sensny